

Case 5:12-cv-00231-F Document 1-1 Filed 02/28/12 Page 1 of 6
From: Fisher, Melvin
North Fork Correctional Facility
1605 E. Main Street
Sayre, Oklahoma 73662

TO: Warden Melissa Lee,

"Good-day Warden Lee, I come before you with integrity and respect for you and your achievements thus far. Warden Lee, I Melvin Fisher are in need of your expertise in this matter. Also, your knowledge and prudence in my situation. As you probably know that I have submitted a letter to you - previously concerning this stressful and mind bobbling condition that this placement has forced on me. Warden Lee, by the way, I wanted to talk to you when you were here in N.F.C.F, "but- Warden Figueroa and other's surrounded you so no one would be able to confront you about their wrongdoing's and disregards of the title 15 handbook. Now there is alot of repercussions, reprisals going on for the ones that got to talk to your staff- that were with you, "believe it!"

Now, please allow me to get back to my situation that's arising. Warden Lee, I went to committee on 5-17-11 and was told to continue in horticulture class. Now that I have finished horticulture class and requested and were recommended for Capt's-Crew. Ms. L. Stanley discriminated against me for personal reason "not to mention that she is known for retaliation if you send her to many requestes and being persistent in a particular job and her motives of retaliation is to assign you to cognitive behavior, because she knows that inmates don't want to be there by force and she disregards the fact that it's a committee action. There are plenty of inmates who want to be there and asking to be placed there. Warden Lee, I have been contesting and opposing this placement and I'm not getting any consideration from CC1-Jason or Supervisor S. Roacho and I have submitted proof of an complete program with Cognitive Behavior included. And I had an agreement with Warden Figueroa that if I showed proof of a program he would get me off the list for Cognitive Behavior and that has yet to Happen. I also sent a copy to CC1-Jason of the completion along with a request for emergency committee because, going back there is putting me in harms way and my safety is at risk!

Therefore, Warden Lee I'm asking you to take into consideration my completion of a program and release me from that list by

- by way of an emergency committee, so I can get a job and support myself for the duration of my time. Also, if that can't be granted, I was told that I'm up for consideration of transfer back to California, "so I'm asking you to grant me that, please, thank you, and I do - appreciate your time and effort to resolve this matter once and for all!

P.S. Warden Lee, I would like to be removed from CCI-C. Jason case load for conflict of interest, please, thank you!"

"C. Jason shows no interest by totally ignoring all my requests, therefore I want no ties to him at all!"

"Please, Thank You!"

Sincerely I/M Fisher, M.

Melvin Fisher #F-74800/GB-127
9-27-11

"Please give me a reply to this letter and request, please, Warden Lee!"

TO: Warden Lee,

Warden Lee, I hope that I've caught you in the best of spirit, because as I have been opposing getting placed in Cognitive Behavior program for safety reasons. Well, the staff did move me back here and sure enough I got my nose broken by the negligence of the Officer, by the Officer holding the door preventing us from (the blacks) getting out of the gym after knowing what was going down. Therefore, Warden Lee, I'm asking you to grant me ~~an~~ transfer immediately because I don't and I'm not safe in these incompetent people authority, so I beseech you to get me out of here and back to California immediately upon receiving this letter and here is some proof of opposing the more that your staff disregarded and the staff members was C1 Chris James and S. Rocho. Therefore its partially their fault also causing me to get hurt.

Warden Lee, all I'm asking for is a transfer out of here immediately, "please, thank you!"

"And please respond to me concerning this matter!"

Sincerely,
I/M Fisher, M. # F. 74800

DIVISION OF ADULT INSTITUTIONS

California Out-of-State Correctional Facility
10961 Sun Center Dr.
Rancho Cordova, CA 95670



November 28, 2011

Melvin Fisher, F74800
North Fork Correctional Facility
1605 E. Main Street
Sayre, OK 73662

Inmate Fisher:

Thank you for your letter dated October 29, 2011. In your correspondence you requested to be removed from the Cognitive Behavioral Class (COGB), to be immediately transferred back to California, and alleged safety concerns.

Mr. Fisher, your current placement score is 19 consistent with Level II points and your custody is MED-A, with a release date of October 1, 2012. Your reading level is 8.6 per California Department of Corrections and Rehabilitation (CDCR) 128B dated March 10, 2011.

Mr. Fisher, your case factors were reviewed by North Fork Correctional Facility Unit Classification Committee (UCC) on May 17, 2011. According to the CDCR 128G dated May 17, 2011, you appeared before UCC for the purpose of an annual review. UCC elected to continue you in your present program Vocational-Horticulture, and to retain you on the labor, COGB, and Masonry Waiting list. UCC decided that placement on those waiting lists would provide you with the best chance of parole success. You were present at that committee and had the opportunity to voice your concerns; however, you did not mention removal from any job waiting list and indicated that you agreed with committee's actions. One of the missions of the CDCR is to provide rehabilitative programs to enhance your chances for a successful parole and reduce recidivism. In February 2012 your case is scheduled to be reviewed for transfer back to California. Per California Out-of-State Correctional Facility Operational Procedure (OP) #523, Inmate Return Policy, "inmates shall be returned to California to participate in pre-release programming." This will be a non-adverse transfer. It is your responsibility to continue to attend your assigned work/educational/self help classes.

Your alleged safety concerns are noted. On November 18, 2011, you were interviewed by Lieutenant J. Cantlay concerning your safety concerns. You indicated to him that you are not in any immediate danger and that no specific threats have been made against you. You spoke only of the possible risks to you if you were to be involved in a riot. You are reminded that should you ever have any safety concerns, you need to immediately address the onsite staff.

I hope you find this information of assistance. If you have any further questions regarding your assignment, please contact in writing your assigned Correctional Counselor I, C. Jason.

Sincerely,

M. LEA

Chief

Contract Beds Unit

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Melvin Fisher #F-74800

9-27-11

Mr. Fisher,

I have re-reviewed your Central file. I have also reviewed all of the information that you have sent and the response that was rendered to you from M. Lea, Chief of Contract Beds.

I note that you have a 9.0 TABE reading score from 12-14-10. It is CDCR policy to use the most current TABE reading score results. Your most current TABE reading score result is an 8.6 from 3-10-11. I did review your High School Transcripts, and I concur with CC I M. DESILETS. Your High School transcripts show you dropping out of High School in the Ninth Grade. Dropping out is not graduating or considered completing High School.

I did receive and review the paperwork from the Salvation Army. I am glad to see that you did complete that program on your second try and you were given a certificate of completion. Please keep in mind that just because you completed a "Like" program on the streets, does not preclude you from the COGB program with CDCR. It is our goal to give you every chance of success as possible.

The response that you received from Chief M. Lea clearly states "It is your responsibility to continue your assigned work/education/self help classes."

Your request for being taken off of every waiting list except the Labor list is denied. You have not graduated from High School, nor received a G.E.D., or completed the COGB program. As your assigned Counselor, I concur with the 12-08-10; UCC decision to place and keep you in COGB. If you would like, I can place you back on the Education W/L. Your current TABE reading score of 8.6 qualifies you for ABE-III.


You have also requested to receive an Out-of-State Parole Package. When you receive your Parole plans is when you will need to request that package. The Parole Office will not even review that form until 120 days before you are scheduled to Parole.

FYI, as an inmate, you do not have the proper training or authority to fill out a 128(b)(1). That is a staff only form. You have the right to request a UCC Committee action and staff will determine if it is appropriate. Your request for a UCC is not deemed appropriate or necessary, at this time. Your scheduled Parole date is 10-01-2012, you should be taken back to UCC roughly 8 months before that date for a recommendation for return to California at that time. Your next Annual UCC is in May 2012.

C. JASON

CORRECTIONAL COUNSELOR I

CALIFORNIA OUT-OF-STATE CORRECTIONAL FACILITY

 9.27.11

To: Warden Figueroa,

On Thursday, November 17, 2011, you were touring the pod of - Golf-Bravo and I (I/M FISHER, M#F74800) got your attention. My request to you was about the shoes they took from me during the search on the 26th of October.

"You stated to us during orientation that everything you have in your property we are allowed to have it!" This was after I had to send a pair home because I had three pairs of shoes by Officer Tedsworth back in November of 2010.

Therefore, I am asking you to allow me to have my shoes back before they send them out or me sending them home because I do not want to donate them nor send them home. I need my shoes for proper support to my feet and you know and I know as well that the issue you'll have here is of no support.

Secondly, I'm asking you to consider or recommend me a transfer out of this facility, "Please!" As you know that I received injuries from the riot and I'm pursuing compensation for the injury, pain and suffering also negligence on the behalf of your staff failing to provide me adequate safety after me and you had a conversation about putting me in harms way by allowing them to move me back here. As you have noticed that I had legitimate reasons for not wanting to come back here. Now I have life long injuries from disregarding my request and safety.

Furthermore, I'm asking you and requesting to be transferred by you, "because your Case Manager Mrs. D. Powers refuses to assist me in calling C.O.C.F. to converse with my counselor there to make this known and requested. CM-Powers is never here and she makes all kinds of excuses why she can't do this or that when you request her assistance in case managers duties. Therefore with all the issues going on here at N.F.C.F. and the incompetence of staff members, not to mention lack of experience and training, also whomever is making the decision to out number us (African Americans) with Mexicans is detrimental to our safety ("my safety") and with all the above collectively to - overwhelming for me and my well-being of life to remain here, "so please by all-means necessary take this request into consideration and turn the proper channels to grant my request, "Please, I beseech you too!"

Sincerely,

I/M Fisher, M#F74800 -
GB-127

Melvin Fisher